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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/816,905	03/26/2001	David E. Creamer	GP-301003	5332

7590 03/09/2004

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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 03/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/8/6905

Applicant(s)

Crescent

Examiner

Alton, G

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/6/04
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other:

DETAILED ACTION

Reply to Response

1. This action is issued in reply to applicant's Response(Paper #4) filed 1/6/04.
2. No claims were amended. None were added. None were deleted.
3. Claims 1-24 as filed are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-24 are rejected under 35 USC 103(a) as unpatentable over Lebda(US Pat. No: 6,611,816) in view of Norris(US Pat. No: 5,870,721).
6. As per claims 1-24 Lebda teaches a network for coordinating a loan over the internet (Abstract)(Figs 1-12)(col 1 line 55-col 2 line 30) providing background information on the applicant(Fig 1/1)filtering(Fig 1/6), obtaining a score and applying it to the database derived from applicant's information(Fig 1/5) as well as mutual acceptance/denial by the borrower and lender(Fig 1/8/9).Lebda further teaches use of a social security number(Fig 3B) and verification of a phone number and e-mail address(Fig 3B/18/19) as well as application of the credit score to an application(Fig 5/26). Lebda further teaches reading all the lending institution's criteria for extending credit(Fig 8/38) and searching various lenders(Fig 8/56) as well as approving or denying

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an application(Fig 10/71) as well as the applicant's response(Fig 11) and closure(Fig 12). Lebna also teaches a loan production team(Fig 2/170)(Fig 7) which utilizes criteria(Fig 6/175). Lebna teaches that the institutional side processes the record and approves or denies application(Fig 10/70/71) and on the web server storing the decision file(Fig 10/80) and if approval, following applicant's response(Fig 11/83) sending notification of loan closure to computer(Fig 12/144)(col 7 lines 4-18).Lebna teaches a filtering mechanism for each lender(col 4 lines 52-col 5 line 19).Lebna teaches that lenders may alter their lending criteria filters and to view applications(col 6 lines 28-31) which may include exigency of applications. In addition to that taught by Lebna, Norris teaches that the loan agreement and documentation are sent to the borrower by the fastest and most convenient means, overnight mail, facsimile, electronic data file transmission to the borrower's computer(col 2 lines 35-39) so that time limitations are factors in the process. Norris also teaches human intervention occurring if the borrower is using a rotary dial telephone or the system suspects fraud as a third party agency in the loan process(col 2 lines 39-44).Norris also teaches that the loan process can be initiated with by an agent(col 2 lines 66-67) and that partnering may be done with an insurance agent(which may include a title company(col 2 line 67-col 3 line 7)).Furthermore, Norris teaches use of a neural network to eliminate human biases(Abstract)(col 3 lines 8-20) and which also includes underwriting and funds transfer(col 2 lines 7-16).Norris also teaches utilization of a credit bureau(Fig1/16) in the evaluation process as well as a lending institution(Fig 1/26) and a deposit instituion(Fig 1/28). It would have been obvious to one skilled in the art at the time of the invention to

combine Lebda in view of Norris to teach the disclosure. The motivation to combine is to teach a real time method for processing a loan application that reduces errors and eliminates biases as enunciated by Norris(col 3 lines 8-20).

Response to Arguments

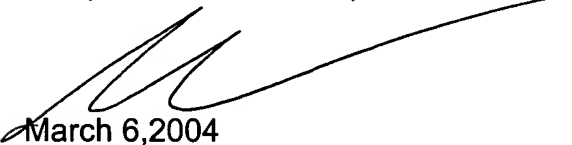
7. Applicant's arguments are not persuasive. Lebna teaches a loan production team(Fig 2/170)(Fig 7) which utilizes criteria(Fig 6/175). Lebna teaches that the institutional side processes the record and approves or denies application(Fig 10/70/71) and on the web server storing the decision file(Fig 10/80) and if approval, following applicant's response(Fig 11/83) sending notification of loan closure to computer(Fig 12/144)(col 7 lines 4-18).Lebna teaches a filtering mechanism for each lender(col 4 lines 52-col 5 line 19).Lebna teaches that lenders may alter their lending criteria filters and to view applications(col 6 lines 28-31) which may include exigency of applications. Norris teaches that the loan agreement and documentation are sent to the borrower by the fastest and most convenient means, overnight mail, facsimile, electronic data file transmission to the borrower's computer(col 2 lines 35-39) so that time limitations are factors in the process. Norris teaches human intervention occurring if the borrower is using a rotary dial telephone or the system suspects fraud as a third party agency in the loan process(col 2 lines 39-44).Norris also teaches that the loan process can be initiated with by an agent(col 2 lines 66-67) and that partnering may be done with an insurance agent(which may include a title company(col 2 line 67-col 3 line 7)).Since Norris teaches partnering with companies, it is clear a subset of this teaching is that one of the partners could also be an engineering company.

Conclusion

8. THIS ACTION IS MADE FINAL.

9. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.



March 6, 2004

**DR. GEOFFREY R. AKERS, P.E.
PRIMARY EXAMINER**